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Paper No. 19

981418.28  
A0317945  
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THREE LAKEWAY CENTER  
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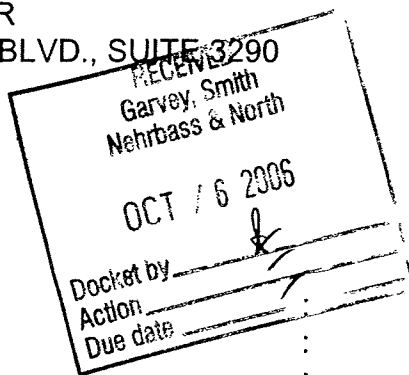
Patentee: Shkondin, Vasily  
Patent No. 5,164,623

Application No. 07/678,268

Filed: April 23, 1991

Issue Date: November 17, 1992

Title of Invention: INDEPENDENT-DRIVE  
WHEEL FOR A WHEEL-MOUNTED VEHICLE



ON PETITION

This is a decision on the request for reconsideration filed April 9, 2004 and the supplemental information provided on December 15, 2004, under 37 CFR 1.378(b), to reinstate the above-identified patent.

The petition is **GRANTED**.

The patent issued November 17, 1992. The 7.5 year maintenance fee could have been paid from November 17, 1999 to May 17, 2000, or with a surcharge during the period from May 18, 2000 to November 17, 2000. Petitioner did not do so. Accordingly, the patent expired November 18, 2000.

Petitioner has provided sufficient facts to establish unavoidable delay in paying the 7.5 year maintenance fee.

The maintenance fee in this case is hereby accepted.

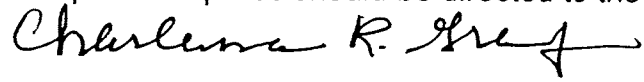
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OCT / 6 2006

Garvey, Smith  
Nehrbass & North

Telephone inquiries should be directed to the undersigned at (571) 272-3215.

A handwritten signature in cursive script, reading "Charlema R. Grant". The signature is written in black ink and is positioned above the printed name.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions

file

AIR

ATTORNEY DOCKET NO.: A03179US (98148.28)  
Applicant: Vasily V. SHKONDIN  
Date: December 9, 2004  
Patent No.: 5,164,623 Issued: 11/17/1992  
For: "Independent-drive wheel for a wheel-mounted vehicle"  
Filing of: Req. for Reconsideration & RES to Req. Info  
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Seth M. Nehrbass

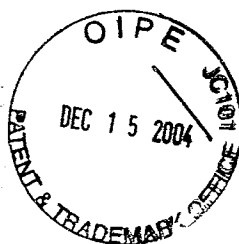
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ATTORNEY DOCKET NO.: A03179US (98148.28)  
Applicant: Vasily V. SHKONDIN  
Date: December 9, 2004  
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Very truly yours,

Seth M. Nehrbass

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

REQUEST FOR RECONSIDERATION  
AND  
RESPONSE TO REQUEST FOR INFORMATION

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Request for Information dated 20 October 2004.

Attached is a copy of the front page of the published PCT application of which the present U.S. patent issued on the national phase entry in the U.S. Listed as the agent (item 74) is the USSR Chamber of Commerce and Industry. This indicates that Mr. Shkondin either signed a power of attorney naming The USSR Chamber of Commerce and Industry as his agent, or he signed the PCT request listing The USSR Chamber of Commerce and Industry as his agent (see PCT Rule 90.4: "Manner of Appointment of Agent or Common Representative (a) The appointment of an agent shall be effected by the applicant signing the request, the demand or a separate power of attorney." ). Efforts to obtain a copy of the original PCT request or power of attorney have not been fruitful (please see the attached declaration of Chris Vaughan). Although we do not have access to the original files, in the USSR as in the USPTO, a listing of an agent on a published PCT application was an indication that the PCT office received adequate proof of the appointment of the agent by the applicant. Thus, the attached copy of the front page of the published PCT application is proof of the contractual obligation between Mr. Shkondin and the USSR Chamber of Commerce and Industry (which later became Sojuzpatent, as stated in the

Declaration of Robert C. Walker dated 8 September 2003). Thus, the attached copy of the front page of the published PCT application is proof of the contractual obligation between Mr. Shkondin and Sojuzpatent.

The attached declaration of the European patent attorney for the inventor explains the origin of the additional letters about the Sojuzpatent/Gorodissky & Partners situation.

It is again respectfully requested that the 8-year maintenance fee be accepted, for the reasons previously presented.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



---

Seth M. Nehrbass, Reg. No. 31,281

E-mail: SethNehrbass@gsnd.us

Charles C. Garvey, Jr., Reg. No. 27,889

Gregory C. Smith, Reg. No. 29,441

Stephen R. Doody, Reg. No. 29,062

Brett A. North, Reg. No. 42,040

GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.

**PTO Customer No. 22920**

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Metairie, LA 70002

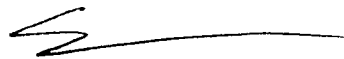
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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 9, 2004.



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Seth M. Nehrbass, Reg. No. 31,281

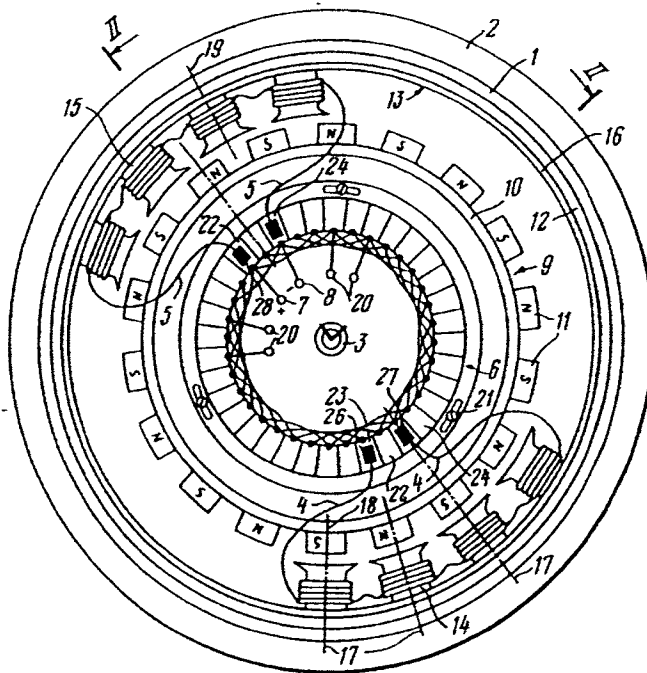
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(51) Международная классификация изобретения 5: B60K 7/00	A1	(11) Номер международной публикации: WO 91/03385 (43) Дата международной публикации: 21 марта 1991 (21.03.91)
(21) Номер международной заявки: PCT/SU90/00209 (22) Дата международной подачи: 24 августа 1990 (24.08.90) (30) Данные о приоритете: 4731991/07 1 сентября 1989 (01.09.89) SU (71)(72) Заявитель и изобретатель: ШКОНДИН Василий Васильевич [SU/SU]; Москва 117526, пр. Вернадского, д. 93, корп. 1, кв. 159 (SU) [SHKONDIN, Vasily Vasilievich, Moscow (SU)].	(74) Агент: ТОРГОВО-ПРОМЫШЛЕННАЯ ПАЛАТА СССР; Москва 103735, ул. Куйбышева, д. 5/2 (SU) [THE USSR CHAMBER OF COMMERCE AND INDUSTRY, Moscow (SU)]. (81) Указанные государства: АТ (европейский патент), АУ, ВЕ (европейский патент), BR, CA, CH (европейский патент), DE (европейский патент)*, DK (европейский патент), ES (европейский патент), FR (европейский патент), GB (европейский патент), IT (европейский патент), JP, KR, LU (европейский патент), NL (европейский патент), SE (европейский патент), US. Опубликовано С отчетом о международном поиске.	

(54) Title: MOTOR-WHEEL FOR A VEHICLE

(54) Название изобретения: МОТОР-КОЛЕСО КОЛЁСНОГО ТРАНСПОРТНОГО СРЕДСТВА



## (57) Abstract

A motor-wheel for electromobiles, bicycles, invalid wheel-chairs, in which the electromagnets (14, 15) of the rotor (12) of a commutator electric motor are arranged along a circumference in a pair of groups offset in relation to each other, whereas the commutating collector (6) of the stator (9), electrically connected to an electric energy accumulator (32), is so designed that when the magnetic axes (17, 18) of the electromagnets (14) of one group coincide with the axes of the magnetic elements (11) of the stator, the electromagnets (14) are connected to an electromagnetic energy accumulator (32) and in the absence of coincidence between the magnetic axes (19, 18) of the electromagnets (15) of the second group and the axes of the corresponding magnetic elements (11) of the stator (9) said electromagnets (15) are connected to a controllable voltage unit (36).

\* Впредь до нового объявления, указание «DE» в международных заявках с датой международной подачи до 3 октября 1990г. будет иметь эффект на территории Федеративной Республики Германии, исключая территорию бывшей ГДР.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93,  
korpus 1, kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Christopher T. VAUGHAN**

I am a European Patent Attorney and I work for Harrison Goddard Foote in Leeds, UK.

With regard to the correspondence from Gorodissky and Sojuzpatent regarding the unauthorised transfer of files, these are circulars that were sent to overseas patent attorneys (and also to CPA) by both Gorodissky and Sojuzpatent. The copies in my possession were in fact retrieved from Haseltine Lake in London. I recalled seeing copies of these while I was still working at Haseltine Lake back in 1999. On 11th February 2004, I sent an e-mail to my former colleague, Matthew Hitching at Haseltine Lake, asking if he could provide copies of the correspondence. Matthew then passed my request on to his colleague John Cheyne, and John then found the relevant correspondence and sent me hard copies on 12th February 2004.

With regard to the Power of Attorney, I have asked Sojuzpatent to check their files and, if destroyed, to see if the Russian Patent Office can help. Attached is the correspondence that I have had with Sojuzpatent. There has been no reply to my fax of 2nd November 2004 and e-mail reminder of 18th November 2004.

I asked another associate in Moscow to visit the Russian Patent Office in order to check the files and archives so as to see if there is a copy of the power of attorney available. It was reported to me that the associate in Moscow called a number of the Patent Office officials trying to track down the file of the application. It was reported to me that the file is in the "remote" archive (in Siberia). It was reported to me that retrieving it will require one month minimum (most likely much longer).

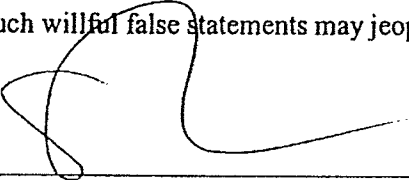
It does not look hopeful that a copy of the power of attorney will be available, but I would like to emphasise that the cover sheet of the PCT application from which this US patent is derived clearly shows the USSR Chamber of Commerce & Industry (now

Sojuzpatent) as the authorised PCT representative of Mr Shkondin, which to my mind clearly establishes a contractual relationship.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

9 December 2004

Date

  
Christopher T. VAUGHAN

P:\Seth\98148.28.CTV.Dec3.doc



## Chris Vaughan

---

**From:** Chris Vaughan [cvaughan@hgfp.com]  
**Sent:** 18 November 2004 13:27  
**To:** 'zalesov@sojuzpatent.com'  
**Subject:** US Patent No 5,164,623; Independent-drive wheel for a wheel-mounted vehicle; Vasily SHKONDIN; Our Ref. P103344US; Your Ref.

**Importance:** High

Dear Dr Zalesov

Please see attached letter.

Best regards, Chris Vaughan



SDOC2475.pdf

---

Chris Vaughan  
Harrison Goddard Foote

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Tel: +44 (0) 113 233 0100  
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Email: cvaughan@hgfp.com  
Web: www.hgfp.com

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\* \* \* COMMUNICATION RESULT REPORT ( 2 NOV 2004 18:08 ) \* \* \*

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patent and trade mark attorneys

2 November 2004

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Our ref: CTV/P103344US

BY FAX: 007 095 924 9540 / 9543 /  
Sender: Chris Vaughan  
Pages: 3

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Dear Dr Zalesov

US Patent No 5,164,623  
Independent-drive wheel for a wheel-mounted vehicle  
Vasily SHKONDIN

Thank you for your prompt reply to my fax of 28<sup>th</sup> October 2004.

I attach a copy of the front sheet of WO 91/03385 that clearly shows your firm (or rather its predecessor in title – the USSR Chamber of Commerce and Industry) as having acted as the representative for Mr Shkondin during the International phase.

Is this not sufficient for the Russian Patent Office (in its capacity as PCT Receiving Office) to release the contents of their file to you?

As previously explained, I do not hold your firm in any way responsible for the lapse of the US patent – responsibility appears to lie with the Goroditsky firm. It is simply that the US Patent Office has asked me to provide evidence that your firm (or its predecessor in title) had a contractual relationship with Mr Shkondin at the time the PCI application was filed, and the best way to prove this would be by providing a copy of a relevant power of attorney.

Our arguments in support of the restoration of the US patent are based on the fact that this was one of the files that was transferred without authorisation from your firm to Goroditsky in the 1990's.

Any help you can provide will be greatly appreciated.

partners  
Michael Harrison, David Goddard, Jonathan Couchman,  
Christopher Vaughan, Robert Hall, Harry Hutchinson,  
Mark Lunt, Nigel Sanderson, Vanessa Stalworth,  
Jason Lumber, Tony Chalk, Jason Doshier, Mike Ajala,  
John Hammonley, Martyn Mobbs, Rosemary Barker,  
David Potter, Geoffrey Smith, Clifford Wain

2 November 2004

Dr A Zalesov  
 Sojuzpatent  
 13 Bldg 5 Myasnitskaya St  
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Your ref:  
 Our ref: CTV/P103344US  
  
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 Pages: 3

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Dear Dr Zalesov

**US Patent No 5,164,623**  
**Independent-drive wheel for a wheel-mounted vehicle**  
**Vasily SHKONDIN**

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Any help you can provide will be greatly appreciated.

## partners

Michael Harrison, David Goddard, Jonathan Couchman,  
 Christopher Vaughan, Robert Hall, Harry Hutchinson,  
 Mark Lunt, Nigel Sanderson, Vanessa Steinthorpe,  
 Jason Lumber, Tony Chalk, Jason Boakes, Mike Ajello,  
 John Hammerley, Martyn Molyneux, Rosemary Barker,  
 David Potter, Geoffrey Smith, Clifford Warr

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2 November 2004

Yours sincerely



Christopher Vaughan  
Harrison Goddard Foote

P103344us zalesov ctv 2-11-04

harrison goddard foote<sup>®</sup>

patent and trade mark attorneys

partners

Michael Harrison, David Goddard, Jonathan Couchman,  
Christopher Vaughan, Robert Hall, Harry Hutchinson,  
Mark Lunt, Nigel Sanderson, Vanessa Stainthorpe,  
Jason Lumber, Tony Chalk, Jason Boakes, Mike Ajello,  
John Hammersley, Marilyn Molyneux, Rosemary Barker,  
David Potter, Geoffrey Smith, Clifford Want

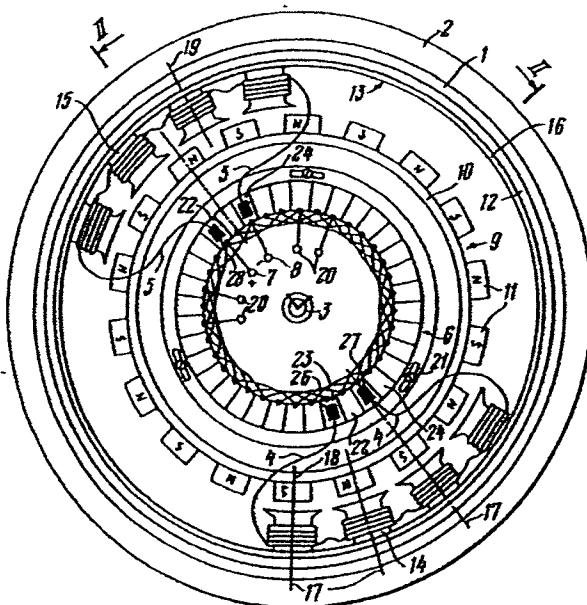
РСТ

ВСЕМИРНАЯ ОРГАНИЗАЦИЯ  
ИНТЕЛЛЕКТУАЛЬНОЙ СОБСТВЕННОСТИ  
Международное бюроМЕЖДУНАРОДНАЯ ЗАЯВКА, ОПУБЛИКОВАННАЯ В СООТВЕТСТВИИ  
С ДОГОВОРОМ О ПАТЕНТНОЙ КООПЕРАЦИИ (РСТ)

(51) Международная классификация изобретения B: B60K 7/00	A1	(11) Номер международной публикации: WO 91/03385 (48) Дата международной публикации: 21 марта 1991 (21.03.91)
(21) Номер международной заявки: RST/SU90/00209	(74) Агент: ТОРГОВО-ПРОМЫШЛЕННАЯ ПАЛАТА СССР, Москва 103735, ул. Куйбышева, д. 5/2 (SU) [THE USSR CHAMBER OF COMMERCE AND INDUSTRY, Moscow (SU)].	
(23) Дата международной подачи: 24 августа 1990 (24.08.90)		
(30) Данные о приоритете: 4751991/07 1 сентября 1989 (01.09.89) SU		
(71)(72) Заявитель и изобретатель: ШКОНДИН Василий Васильевич [SU/SU]; Москва 117526, пр. Вернадского, д. 93, корп. 1, кв. 159 (SU) [SHKONDIN, Vasily Vasilievich, Moscow (SU)].		(81) Указанные государства: AT (европейский патент), AU, BE (европейский патент), BR, CA, CH (европейский патент), DE (европейский патент)*, DK (европейский патент), ES (европейский патент), FR (европейский патент), GB (европейский патент), GR (европейский патент), JP, KR, LU (европейский патент), NL (европейский патент), SE (европейский патент), US.
	Опубликовано С учетом о международном поиске.	

(54) Title: MOTOR-WHEEL FOR A VEHICLE

(54) Название изобретения: МОТОР-КОЛЕСО КОЛЕСНОГО ТРАНСПОРТНОГО СРЕДСТВА



## (57) Abstract

A motor-wheel for electromobiles, bicycles, invalid wheel-chairs, in which the electromagnets (14, 15) of the rotor (12) of a commutator electric motor are arranged along a circumference in a pair of groups offset in relation to each other, whereas the commutating collector (6) of the stator (9), electrically connected to an electric energy accumulator (32), is so designed that when the magnetic axes (17, 18) of the electromagnets (14) of one group coincide with the axes of the magnetic elements (11) of the stator, the electromagnets (14) are connected to an electromagnetic energy accumulator (32) and in the absence of coincidence between the magnetic axes (19, 18) of the electromagnets (15) of the second group and the axes of the corresponding magnetic elements (11) of the stator (9) said electromagnets (15) are connected to a controllable voltage unit (36).

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INVENTIONS - UTILITY MODELS - TRADEMARKS  
INDUSTRIAL DESIGNS - LITIGATION - LICENSES

Date: November 1, 2004  
To: Chris Vaughan  
Company: HARRISON GODDARD FOOTE  
Address: BELGRAVE HALL  
BELGRAVE STREET  
LEEDS, LS2 8DD  
UK

Fax No.: 44-113- 233 01 01  
Your Ref.: CTV/P103344US

14486102NOV04

From: Aleksey V. Zalesov  
E-mail: Zalesov@sojuzpatent.com  
Direct line: (095) 921 7038

Our Ref.:  
Total pages: 1  
Only by fax: ☒ Confirmation: ☐

Re.: US patent 5,164,623

Dear Mr. Vaughan,

Thank you for your letter of October 28, 2004.

We have checked our dockets and database. Unfortunately we have not found any information on the above case.

We have not any documents (including the POA) in our possession. We may only suppose that all materials are at the Goroditsky and partners but we have no direct indications of that.

A copy from the PCT prosecution file and the Receiving Office can be received only if we have valid Power of Attorney from the Applicant.

We regret for not being able to assist you in this important matter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Aleksey Zalesov'.

Aleksey Zalesov, Ph D.

Head of Legal Department  
Patent Attorney

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Sojuzpatent

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+ 7 095 928 2261 + 7 095 924 9543

Legal Address: Ilinka St., 5/2,

Internet: <http://www.sojuzpatent.ru>

\* \* \* COMMUNICATION RESULT REPORT ( 29 OCT 2004 14:12 ) \* \* \*

FAX HEADER: HARRISON GODDARD FOO

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28 October 2004

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+44(0) 113 233 0100  
facsimile  
+44(0) 113 233 0101  
email  
hgf@hgfip.comYour ref:  
Our ref: CTV/P103344US  
BY FAX: 007 095 924 9540 / 9543 /  
Sender: Chris Vaughan  
Pages: 2**CONFIDENTIALITY NOTICE**

This fax message is copyright and its content is confidential until such a time as it is legitimately placed on the public record. Legal professional privilege or other legal/attorney client privilege may cover this message. If you are not the intended recipient, you should be careful to respect this confidentiality, neither passing the content on, nor taking any personal advantage of it. Please let us know immediately if you have received this fax in error.

**\*\*\* URGENT ENQUIRY \*\*\***

Dear Sirs

US Patent No 5,164,623  
Independent-drive wheel for a wheel-mounted vehicle  
Vasily SHKONDIN

We represent Vasily Shkondin and the assignee in respect of the above patent, Ultra Motor Company Limited.

The US patent lapsed on 19<sup>th</sup> November 2000 through failure to pay a maintenance fee.

We understand that CPA was responsible for payment of maintenance fees, and that CPA was instructed by you to pay the first maintenance fee due by 17<sup>th</sup> May 1996. However, it would appear that this patent was one of those that was subject to an unauthorised transfer to Gorodissky & Partners in 1999, and that instructions were not received from Gorodissky & Partners to pay the maintenance fee due on 17<sup>th</sup> May 2000.

We are currently trying to restore the US patent, and we have been requested to provide evidence that there was a contractual relationship between your firm and Mr Shkondin in relation to US patent no 5,164,623, or at least in relation to International patent application no PCT/SU90/00209 (WO 91/03385). Is it possible that you have a power of attorney that was signed by Mr Shkondin authorising you to act on his behalf? If so, please would you fax us a copy of this document.

partners  
Michael Harrison, David Goddard, Jonathan Coushman,  
Christopher Vaughan, Robert Holt, Henry Mulchrone,  
Mark Lunt, Nigel Sanderson, Vanessa Staines, John  
Jason Lumber, Tony Chalk, Jason Bickel, Mike Allen,  
John Hammerley, Martin Moynihan, Rosemary Barker,  
David Potter, Geoffrey Smith, Clifford Ward

© HARRISON GODDARD FOOTE and hgf are registered trade marks

28 October 2004

Sojuzpatent  
13 Bldg 5 Myasnitskaya St  
10100 MOSCOW  
K-9 GSP-9  
101999  
RUSSIA

Belgrave Hall  
Belgrave Street  
Leeds LS2 8DD, UK

telephone  
+44(0) 113 233 0100

facsimile  
+44(0) 113 233 0101

email  
hgf@hgfp.com

Your ref:

Our ref: CTV/P103344US

BY FAX: 007 095 924 9540 / 9543 /

Sender: Chris Vaughan

Pages: 2

**CONFIDENTIALITY NOTICE**

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US Patent No 5,164,623

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Vasily SHKONDIN

We represent Vasily Shkondin and the assignee in respect of the above patent, Ultra Motor Company Limited.

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We are currently trying to restore the US patent, and we have been requested to provide evidence that there was a contractual relationship between your firm and Mr Shkondin in relation to US patent no 5,164,623, or at least in relation to International patent application no PCT/SU90/00209 (WO 91/03385). Is it possible that you have a power of attorney that was signed by Mr Shkondin authorising you to act on his behalf? If so, please would you fax us a copy of this document.

**partners**

Michael Harrison, David Goddard, Jonathan Couchman,  
Christopher Vaughan, Robert Hall, Harry Hutchinson,  
Mark Lunt, Nigel Sanderson, Vanessa Stahlthorpe,  
Jason Lumber, Tony Chalk, Jason Boakes, Mike Ajello,  
John Hammersley, Martyn Molyneux, Rosemary Barker,  
David Potter, Geoffrey Smith, Clifford Want



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2

28 October 2004

harrison goddard foote<sup>®</sup>

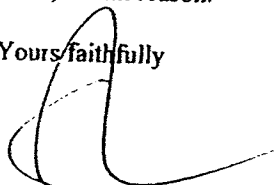
patent and trade mark attorneys

If you have meanwhile destroyed your file, is it possible to obtain a copy of the PCT prosecution file from the Russian Patent Office (acting as Receiving Office)?

Please be assured that we do not consider you responsible for the lapse of the US patent – we are merely seeking your help in explaining to the US Patent Office the sequence of events.

Your urgent attention to this matter would be appreciated. We are happy to pay for your time and costs, within reason.

Yours faithfully



Christopher Vaughan  
Harrison Goddard Foote

P103344us sojuzpatent ctr 29-10-04

partners

Michael Harrison, David Goddard, Jonathan Couchman,  
Christopher Vaughan, Robert Hall, Harry Hutchinson,  
Mark Lunt, Nigel Sanderson, Vanessa Stainthorpe,  
Jason Lumber, Tony Chalk, Jason Bookes, Mike Ajello,  
John Hammersley, Martyn Molyneux, Rosemary Barker,  
David Potter, Geoffrey Smith, Clifford Wiant



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

GARVEY SMITH NEHRBASS & DOODY, LLC  
THREE LAKEWAY CENTER  
3838 NORTH CAUSEWAY BLVD.  
SUITE 3290  
METAIRIE, LA 70002

Patentee: Shkondin, Vasily  
Patent No. 5,164,623

Application No. 07/678,268

Filed: April 23, 1991

Issue Date: November 17, 1992

Title of Invention: INDEPENDENT-DRIVE  
WHEEL FOR A WHEEL-MOUNTED VEHICLE

RECEIVED  
Garvey Smith  
Nehrbass & Doody  
OCT 20 2004  
Docket by: AJP  
Action: \_\_\_\_\_  
Due date: \_\_\_\_\_

Paper No. 17

COPY MAILED

OCT 20 2004

OFFICE OF PETITIONS

REQUEST FOR INFORMATION

98148.28  
A03179US  
Smr

This letter serves as a request for additional information prior to a final determination as to whether the late submission of the maintenance fee was unavoidably delayed.

Please submit a copy of the document/contract which establishes there was contractual obligation between Mr. Shkondin and Sojuzpatent.

On renewed petition, petitioner has provided additional copies of correspondence from Sojuzpatent and Gorodissky & Partners which appears to have been directed to patentee. A statement should be provided indicating who or what entity received this correspondence and what address the correspondence was mailed to. An indication as to when the correspondence was received should also be provided.

Petitioner should submit the above requested information within two months of the mail date of this request. The two month reply period is not extendable.

Telephone inquiries should be directed to the undersigned at (571) 272-3215.

*Charlema R. Grant*  
Charlema R. Grant  
Petition Attorney  
Office of Petition

OCT 20 2004

*[Handwritten signature]*

ATTORNEY DOCKET NO.: A03179US (98148.28)  
Applicant: Vasily V. SHKONDIN  
Date: April 5, 2004  
Patent No.: 5,164,623  
For: "Independent-drive wheel for a wheel-mounted vehicle"  
Filing of: Request for Reconsideration; \$130 check  
Please acknowledge receipt of the above by date stamping and returning  
this card.  
Very truly yours,

Seth M. Nehrbass

P:\Seth\98148.28.pc&label.wpd

GARVEY, SI

3

PAY TO THE  
ORDER OF \*\*

\*\*\*\*\*:

8837

14-9-650

\$\*\*130.00\*\*

\*\*\*\* DOLLARS

ATTORNEY DOCKET NO.: A03179US (98148.28)  
Applicant: Vasily V. SHKONDIN  
Date: April 5, 2004  
Patent No.: 5,164,623  
For: "Independent-drive wheel for a wheel-mounted vehicle"  
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Please acknowledge receipt of the above by date stamping and returning  
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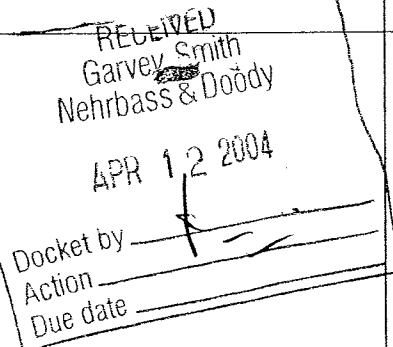


GARVEY, SMITH, NEHRBASS  
& DOODY, L.L.C.  
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DATE	DESCRIPTION	AMOUNT
4/5/04 SMN/sd	98148.28 (A03179US) File Request for Reconsideration	\$130.00

Check No. 8837



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**REQUEST FOR RECONSIDERATION**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached are declarations of the current U.S. patent attorney for the inventor and the European patent attorney for the inventor. Attached to the second declaration are some additional letters about the Sojuzpatent / Gorodissky & Partners situation. As one can tell by reviewing these letters, and the Declaration of Robert C. Walker submitted previously, the present file was one of many that was wrongfully transferred from Sojuzpatent to Gorodissky & Partners.

The new declarations are being submitted to help explain why it took nine months after discovery of the expiration of the patent to file a petition.

As shown by the attached listing from esp@cenet, Mr. Shkondin is the applicant in over a dozen patent properties. Mr. Shkondin relied on Sojuzpatent to send him reminders, not only to pay fees. His different patent properties have different dates for payment of annuities and maintenance fees. It is respectfully submitted that it was reasonable for him to rely on Sojuzpatent to send him timely reminders. It is respectfully submitted that the political and business chaos existing in Russia around the collapse of the Soviet Union, a situation entirely beyond the control of Mr. Shkondin, was the proximate cause of the lapsing of the patent, as it facilitated the unauthorized takeover of Mr. Shkondin's file by Gorodissky & Partners. This

unauthorized takeover of Mr. Shkondin's file by Gorodissky & Partners prevented Sojuzpatent from reminding Mr. Shkondin of the deadline for paying the second maintenance fee, and thus caused the lapsing of his patent (please recall that Mr. Shkondin received a reminder about payment of the 4-year maintenance fee from Sojuzpatent and authorized payment of the 4-year maintenance fee through Sojuzpatent - the 4-year maintenance fee was then paid by CPA at the instruction of Sojuzpatent).

Sojuzpatent was contractually obligated to send reminders to Mr. Shkondin, but was unable to do so when its files for Mr. Shkondin were taken without authorization (and without the knowledge of Mr. Shkondin) by Gorodissky & Partners. Mr. Shkondin, with no knowledge of this hijacking of his files, had no reason to check on Sojuzpatent, as it had served him properly in the past.

The requirement of a showing of unavoidable delay does not mean that there was absolutely nothing that could have been done to avoid the delay, simply that the delay was legally considered to be unavoidable (specifically, that "reasonable care was taken to ensure that the maintenance fee would be paid timely."). It is respectfully submitted that failure to timely pay a maintenance fee due to one's files being hijacked from one's chosen patent law firm in a country in the midst of political and business chaos after the breakdown of a decades old political system should be legally considered to be unavoidable delay.

This is not a situation where a law firm negligently failed to remind a patentee of a deadline. This is instead a situation where a law firm was unable to perform its duty to remind the patentee of the deadline because its files were hijacked by another firm. The patentee could not reasonably be expected to have anticipated this eventuality and to have planned for a backup system to overcome it. Thus, despite the fact that "reasonable care was taken to ensure that the maintenance fee would be paid timely," circumstances beyond the control of Mr. Shkondin prevented that from occurring.

It is respectfully submitted that the attached declarations and letters, along with the prior declarations and attachments, are sufficient to show unavoidable delay, the steps taken to ensure timely payment, the date and manner in which the patentee was notified of the expiration of the patent, and the steps taken to file the petition timely.

The case of *RAY v. COMMISSIONER OF PATENTS AND TRADEMARKS*, 55 F.3d

606, 34 U.S.P.Q.2D 1786 (Fed. Cir. 1995) is distinguishable from the present situation. In that case, the patent holder apparently moved without giving his patent agent his new address, and thus a notice regarding his patent maintenance fee did not reach him. In the present situation, the patent holder's file was taken without authorization from his chosen representative, thus preventing the representative from contacting him with reminders, and the unauthorized taker of the file did not send him reminders. Mr. Shkondin hired a firm to timely remind him of maintenance fees, this firm performed properly for the first fee, so Mr. Shkondin was reasonable to believe that he would be reminded by this firm in the future. Thus, despite the fact that "reasonable care was taken to ensure that the maintenance fee would be paid timely," unforeseen circumstances beyond the control of Mr. Shkondin prevented that from occurring.

It is again respectfully requested that the 8-year maintenance fee be accepted.

Attached is a check for \$130 for the petition fee for filing the current request.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



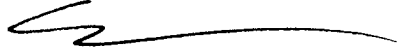
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Seth M. Nehrbass, Reg. No. 31,281  
Charles C. Garvey, Jr., Reg. No. 27,889  
Gregory C. Smith, Reg. No. 29,441  
Stephen R. Doody, Reg. No. 29,062  
Brett A. North, Reg. No. 42,040  
GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.  
**PTO Customer No. 22920**  
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Metairie, LA 70002  
Tel.: (504) 835-2000  
Fax: 504-835-2070  
e-mail: [IPLNO@AOL.COM](mailto:IPLNO@AOL.COM)

www.neworleanspatents.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 5, 2004.



---

Seth M. Nehrbass, Reg. No. 31,281

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle"

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Seth M. NEHRBASS, Patent Attorney**

I am a registered patent attorney working for the inventor and owner of the above-referenced patent.

On 17 December 2002 I was contacted by Chris VAUGHAN, European Patent Attorney and European patent counsel for the inventor and owner of the above-referenced patent. He asked me to try to find out whether the 8-year maintenance fee had been timely paid in the above-referenced patent. I called the USPTO hotline for patent maintenance fees, but it was not working. After a few attempts over a few days, on 19 December 2002 the hotline worked and I discovered that the 8-year maintenance fee had not been timely paid in the above-referenced patent. On that date, I sent an e-mail message to Chris VAUGHAN with that information. I understand that Chris VAUGHAN then passed this information on to the inventor, Vasily V. SHKONDIN.

On 24 January 2003 I was contacted by e-mail by Chris VAUGHAN about the level of proof to revive the patent and for help with trying to contact someone at Burgess, Ryan & Wayne. On 29 January 2003 I responded by e-mail, answering his questions.

On or about 14 August 2003 I received a copy of a letter from Mr. Robert Walker of CPA about the patent and questions from Chris VAUGHAN about the chance of having the patent revived.

On 19 August 2003 I sent a reply to Chris VAUGHAN's questions. He and I exchanged more e-mail messages that day regarding this issue.



On 4 September 2003 I was instructed by Chris VAUGHAN to prepare draft declarations needed for the petition to accept late payment.

On 4 September 2003 I sent an e-mail message to Robert WALKER of CPA, and draft declarations of Mr. WALKER and Mr. SHKONDIN to Chris VAUGHAN.

On 8 September 2003 I sent an e-mail message to Robert WALKER regarding Mr. WALKER's declaration.

On 9 September 2003 I corresponded by e-mail with Robert WALKER regarding Mr. WALKER's declaration.

On 1 October 2003, I received from Chris VAUGHAN Mr. SHKONDIN's declaration and instructions to file a petition to revive the patent.


On 3 October 2003 I received a power of attorney for this patent and filed the Petition.

On 2 April 2004, I spoke with Mr. Milton WAYNE, who at one time worked for Burgess, Ryan & Wayne (I obtained Mr. WAYNE's telephone number from Mr. MORAN, another former member of Burgess, Ryan & Wayne). I understand that Burgess, Ryan & Wayne is no longer in business. Mr. WAYNE had no personal recollection of U.S. Patent No. 5,164,623, but he did recall his firm's policy regarding Sojuzpatent and maintenance fees. He told me that his firm's policy was that when CPA took over docketing and payment of maintenance fees for Sojuzpatent, his firm ceased docketing maintenance fees for Sojuzpatent. Thus, his firm would not have sent reminders to Sojuzpatent or Mr. SHKONDIN.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

5 Apr. / 2004

Date

  
Seth M. NEHRBASS, Patent Attorney, Reg. No. 31,281

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You looked for the following: (Vasily AND Shkondin)<APPLICANT>

19 matching documents were found.

To see further result lists select a number from the JumpBar above

Click on any of the Patent Numbers below to see the details of the patent

Basket	Patent Number	Title
<input type="checkbox"/>	IN175338	Independent-drive wheel for a wheeled vehicle
<input type="checkbox"/>	DK463168T	No English title available.
<input type="checkbox"/>	BR9106163	No English title available.
<input type="checkbox"/>	BR9006900	No English title available.
<input type="checkbox"/>	ES2132071T	No English title available.
<input type="checkbox"/>	AT179657T	No English title available.
<input type="checkbox"/>	US5164623	INDEPENDENT-DRIVE WHEEL FOR A WHEEL-MOUNTED VEHICLE
<input type="checkbox"/>	WO9308999	MOTOR-WHEEL
<input type="checkbox"/>	WO9207728	MOTOR-WHEEL OF A TRANSPORT VEHICLE
<input type="checkbox"/>	WO9103385	MOTOR-WHEEL FOR A VEHICLE
<input type="checkbox"/>	GR90100860	INDEPENDENT MOTION WHEEL FOR VEHICLES
<input type="checkbox"/>	EP0507967	MOTOR-WHEEL OF A TRANSPORT VEHICLE.
<input type="checkbox"/>	EP0463168	MOTOR-WHEEL FOR A VEHICLE.
<input type="checkbox"/>	CA2072759	MOTORIZED WHEEL FOR VEHICLE
<input type="checkbox"/>	CA2039709	INDEPENDENT-DRIVE WHEEL FOR A WHEEL-MOUNTED VEHICLE
<input type="checkbox"/>	AU8931691	MOTOR-WHEEL OF A TRANSPORT VEHICLE
<input type="checkbox"/>	AU6511490	MOTOR-WHEEL FOR A VEHICLE
<input type="checkbox"/>	AU624272	MOTOR-WHEEL FOR A VEHICLE
<input type="checkbox"/>	CN1063002	INDEPENDENT-DRIVE WHEEL FOR WHEEL-MOUNTED VEHICLE

To refine your search, click on the icon in the menu bar

Data supplied from the esp@cenet database - 12

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Christopher T. VAUGHAN**

I am a European Patent Attorney and I work for Harrison Goddard Foote in Leeds, UK.

On or about 4 November 2002, my client, Flintstone plc, informed me that it was interested in working with Mr. Vasily Shkondin in order to commercialise various of Mr Shkondin's inventions relating to electric motor wheels, and provided me with a list of related patents and patent applications, including United States Patent No. 5,164,623 (hereinafter "the Patent"). I was asked to await further instructions before proceeding with a formal review of the patents and patent applications. On or about 17 December 2002, I received instructions to proceed with the formal review. In the process of preparing the review, I tried to ascertain the status of the Patent by referring to the USPTO website, but the information provided on the website was not conclusive as to whether the Patent was in force or not.

I therefore, on 17 December 2002, contacted Seth Nehrbass, a US Patent Attorney with whom I work on various patent applications and patents. I asked him to investigate the status of the Patent.

On 19 December 2002 Seth Nehrbass reported to me that the USPTO hotline indicated

that the patent expired on 19 November 2000 for failure to pay a maintenance fee.

Between 19 December 2002 and 24 January 2003 I conducted research regarding United States Patent No. 5,164,623. I learned that Burgess, Ryan & Wayne was no longer in business. I called the number listed at the USPTO for Mr. Milton Wayne of Burgess, Ryan & Wayne, but the number did not work.

On 24 January 2003 I contacted Seth Nehrbass by e-mail to ask him about the level of proof to revive the patent and help with trying to contact someone at Burgess, Ryan & Wayne. On 29 January 2003 Seth Nehrbass responded by e-mail, answering my questions.

Between 29 January 2003 and 12 August 2003, my client Flintstone plc continued negotiating with Mr Shkondin, and set up a new legal entity "Ultra Motor Company Limited" as a vehicle for commercialising Mr Shkondin's electric motor wheel inventions. These negotiations were complicated by the fact that the parties desired Mr Shkondin, a Russian citizen, to be an executive of Ultra Motor Company Limited, a UK legal entity. Additionally, a significant amount of time was spent on investigating patents and patent applications filed by a third party entity, Wavecrest Laboratories LLC, which is a direct competitor of my client. Upon completion of these investigations and the successful formation of Ultra Motor Company Limited, I was authorised to incur the costs associated in seeking reinstatement of the Patent and to arrange for assignment of the Patent from Mr Shkondin to Ultra Motor Company Limited.

On or about 12 August 2003 I sent a fax to CPA asking for information about the file of the Patent.

On 14 August 2003 Mr. Robert Walker of CPA faxed me a letter about the Patent. I forwarded this letter to Seth Nehrbass on that date with some questions about the chance of

having the Patent revived.

On 19 August 2003 Seth Nehrbass sent his reply to my questions. He and I exchanged more e-mail messages that day regarding this issue.

Between 19 August 2003 and 4 September 2003 I corresponded with my client and learned some of the facts that were in Mr. Shkondin's declaration filed with the petition.

On 4 September 2003 I instructed Seth Nehrbass to prepare draft declarations needed for the petition to accept late payment.

On 4 September 2003 I received a copy of an e-mail message sent by Seth Nehrbass to Robert Walker of CPA, and a copy of an e-mail message sent in reply by Robert Walker. I also received copies of draft declarations of Mr. Walker and Mr. Shkondin.

On 8 September 2003 I received a copy of an e-mail message from Seth Nehrbass to Robert Walker regarding Mr. Walker's declaration.

On 9 September 2003 I received copies of e-mail messages between Seth Nehrbass and Robert Walker regarding Mr. Walker's declaration.

On or about 1 October 2003, I received the signed declaration of Mr. Shkondin.

On 1 October 2003, I sent this declaration to Seth Nehrbass with instructions to file a petition to revive the Patent.

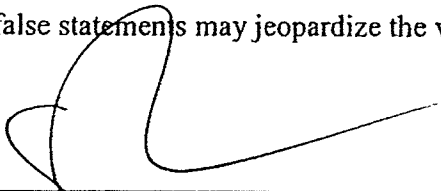
On 3 October 2003 I sent a power of attorney to Seth Nehrbass for the Patent.

I have reviewed all papers filed in connection with the original petition to accept late payment. I attach some additional information about the Sojuzpatent / Gorodissky & Partners situation which I have obtained.

I hereby declare that all statements made herein of my own knowledge are true and that

all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Patent.

5 April 2004  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Christopher T. VAUGHAN

Seth\98148.28.CTV1.doc

Dipl. Eng. Leonid V. Dmitrovsky, PA  
Dipl. Eng. Larissa I. Yatrova, PA  
Ph. D. Alexander P. Agureev, PA  
Ph. D. Lidia P. Shershneva  
Ph. D. Irina S. Salomatina  
Dipl. Eng. Nina N. Vysotskaya, PA  
Dipl. Eng. Valeria S. Tkatchenko, PA  
Dipl. Eng. Irina M. Zakharova  
Dipl. Eng. Olga F. Ivanova, PA  
Dipl. Eng. Ludmila S. Kishkina  
Dipl. Eng. Alla A. Silaeva, PA  
Dipl. Law Natalia V. Barabanova, PA  
Ph. D. Alexander E. Isaev, TMA  
Dipl. Eng. Nina T. Golyshko, TMA  
Dipl. Eng. Svetlana B. Felitsina, TMA

# SojuzPATENT

PATENTS - TRADE MARKS - INDUSTRIAL DESIGNS  
UTILITY MODELS - LITIGATION - LICENSES

July 23, 1999

## To whom it may concern

Dear Sirs,

We regret to be forced to once again draw your kind attention to the problem Sojuzpatent/Gorodissky & Partners, due to the fact that we have certain evidences of unceasing attempts of the latter to lead our clients astray. At the same time on our being confident that you have sufficient information to make a sound decision, we promise not to disturb you any more.

Please, be advised that our entire previous information on this matter is impartial and true in all aspects. On the other hand we dispose of evidences of barefaced slander and attempt to mislead our clients from the part of Gorodissky & Partners. Some of the examples are attached herewith.

We are not going to follow Gorodissky & Partners and compete with them in the field in which they are apparently stronger.

However, we wish to inform our clients on some advantages of Sojuzpatent.

1. From professional point of view the specialists of Sojuzpatent have the highest qualification and extensive practical experience. Our biotech specialists, for instance, are recognized authorities in their field. You ought to be advised that all biotech specialists who all along have handled your cases are with Sojuzpatent although the bulk of the cases is still kept by Gorodissky & Partners after they had been carried away without authority. The list of our group of chemistry and biotechnology is enclosed.
2. The management of our company has been radically changed. In contrast to the "old" Sojuzpatent and Gorodissky & Partners we do not have administrative bureaucracy: every patent attorney is entirely responsible in front of the clients and the head of Sojuzpatent for the cases handled by him and signs up his correspondence on his own. This enabled us not only to improve the quality of our services but also to lower their cost.

3. Our prices are considerably reduced and we are open to discuss special arrangements depending on the conditions of our cooperation.
4. We can provide our clients with efficient assistance in case of possible infringement of their patent rights or trademark counterfeits. For the said purposes we use 144 regional divisions of Chamber of Commerce and Industry (CCI) all over the Russian Federation and the Business Security Division of the CCI with its regional representatives.

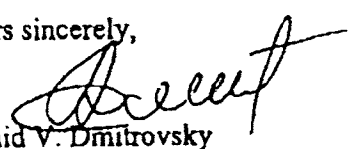
Please, note, that Sojuzpatent has *never* been privatized and therefore has *no* legal successors. The new management of Sojuzpatent (Leonid V. Dmitrovsky was appointed to be the Managing Director on March 22, 1999) exerted every effort to hinder court prosecution of the management of the "old" Sojuzpatent from the part of the CCI for unauthorized business transfer since being one of the deputy directors of Sojuzpatent (from 1968 till 1987) he realized the consequences for the clients, which inevitably would have been related with the involvement of their cases in the court proceedings.

However our clients should also know that potentially a danger of this kind still exists for them. Why? All the patent and trademark cases once sent to Sojuzpatent (Iliinka 5/2, Moscow) also contained the Powers of Attorney in the name of Sojuzpatent. It seems unnecessary to explain that all these cases legally belong to Sojuzpatent in the capacity of its documentary property. Therefore, in case of court dispute with Sojuzpatent's former management the cases currently at Gorodissky & Partners to the great extent maybe involved in court proceedings in the capacity of evidences with all the ensuing consequences.

On the other hand there are quite a number of specialists of the "old" Sojuzpatent who were forced to pass to Sojuzpatent Ltd. in November 1998 and now are having desire to return to alma mater. But alongside they are not permitted to take along the cases they have been handling from the very beginning. They put a question whether they can count on your consent to keep the files they handle if they join Sojuzpatent? If this as such finds your preliminary approval you will be sent the information on each patent attorney together with the list of his cases.

We are looking forward to receiving your reply to the above question,

Yours sincerely,



Leonid V. Dmitrovsky

Managing Director



Att. Goroditsky, PA\*, TM  
Eng. Valery Medvedev, PA\*, TM  
Eng. Sergey Pavlovsky, PA\*  
Eng. Sergei Dudashkin, PA\*  
Comm. Anatoly Shukhlov

**\* Patent:**

Eng. Natalia Lebedeva, PA\*  
Eng. Valery Kalinovsky, TM  
Eng. Elena Tomskaya, PA\*  
Eng. Evgeny Evdoshin, PA\*  
Eng. Galina Kuznetsova, PA\*  
Eng. Lyubov Kirichenko, PA\*  
Comm. Irina Spasheva, PA\*  
In. Denis Vavrovsky, TM  
Eng. Sergei Dorokhov, PA\*  
Eng. Yuri Kuznetsov, PA\*  
Eng. Alexander Mikh, PA\*

PA - Patent Attorney  
TM - Trademark Attorney

Continuity in serving clients since 1901



**GORODISSKY**  
& PARTNERS

(formerly "Sojuzpatent Ltd.")

Patent and Trademark Attorneys

Trademarks

Designs

Copyright

Licensing

Litigation

Bolskaya Spasskaya Str.,

25 stronic 3

Moscow 129010, Russia

Phone: +7 (095) 937 61 16

Fax: +7 (095) 937 61 04/23

E-mail: pa@goroditsky.ru

15300005

**FETHERSTONHAUGH & CO.**

**BOX 11560, VANCOUVER CENTRE**

**2200-650 WEST GEORGIA STREET**

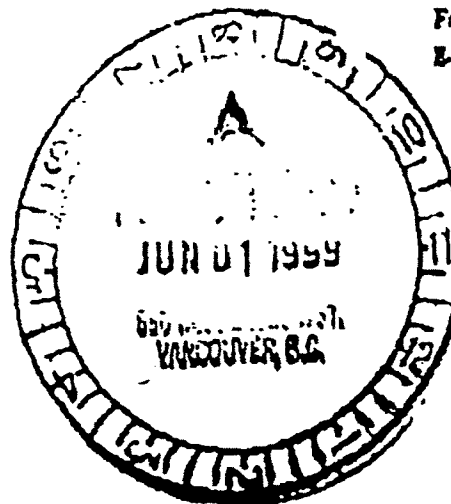
**VANCOUVER, BRITISH COLUMBIA V6B 4N8**

**CANADA**

**ATTN: JOHN W. KNOX**

Date

01/06/1999



Dear Mr. Knox!

I acknowledge receipt of your letter of May 21, 1999 and confirm that in accordance with your instructions all the cases you mentioned in your letter are placed under the control of Sojuzpatent.

Respecting your choice of Patent agents in Russia I still would like for the sake of clarity and honesty to emphasize once again that this Sojuzpatent is a newly founded organization having nothing in common with previous Sojuzpatent, now renamed as "Goroditsky & Partners". It is our previous Sojuzpatent who just produced original Powers of Attorney you mentioned in your letter.

The new organization Sojuzpatent continues to be the property of the Chamber of Commerce & Industry which fact was for many years a serious drawback for our Sojuzpatent. IP profession requires to be independent and private and now we succeeded to be like firms of Patent agents in other countries.

Our remark:

"This" Sojuzpatent (Ilinka 5/2) never ceased to exist as legal entity. Original Powers of Attorney contain Sojuzpatent 5/2 Ilinka

Yours sincerely

Elena V. Tomskaya

Patent Attorney

Chief of mechanical department

Dip.Eng. Anatoly Shablikov

Senior Partners

Dip.Eng. Natalia Lebedeva, PA\*  
Dip.Eng. Valery Kalinovsky, TM  
Dip.Eng. Elena Tomskaya, PA\*  
Dip.Eng. Evgeny Brashnikov, PA\*  
Dip.Eng. Galina Zgurva, PA  
Dip.Eng. Lyudmila Kikushina, PA\*  
Dip.Chem. Irina Spichalova, PA\*  
M.Sc. Denis Vorobiov, TM  
Dip.Eng. Sergei Domstov, PA\*  
Dip.Eng. Yury Kuznetsov, PA  
Dip.Eng. Alexander Mito, PA

PA - Patent Attorney  
TM - Trademark Attorney

 & PARTNERS

(formerly "Sojuzpatent Ltd.")

Patent and Trademark Attorneys

Copyrights

Literature

Litigation

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25 street 3

Moscow 129010, Russia

Phone: +7 (095) 937 61 16

Fax: +7 (095) 937 61 04/23

E-mail: pat@gorodissky.ru

63910261

KIMBERLY-CLARK WORLDWIDE, INC.  
INTERNATIONAL PATENT ADMINISTRATION  
401 NORTH LAKE STREET, NEENAH  
WISCONSIN 54956  
USA

Date 28/06/1999

Dear Sirs,

Further to our letters dated the 27th May 1999 and the 17th June 1999 concerning our further prosecution of your applications previously entrusted us by you we are sorry to trouble you once again.

1. We were informed by the Russian Patent Office that they received the letters from the new "Sojuzpatent" requesting to change the name and address of Patent Attorney responsible for applications.

The Patent Office certainly rejected such requests as a new Power of Attorney is not submitted.

2. In this connection we would like to draw your attention to the fact that "Gorodissky & Partners" are a successor of the original "Sojuzpatent" and "Sojuzpatent Ltd" and therefore all Power of Attorney previously made in our favour are still valid.

3. New Power of Attorney are necessary only if applications are transferred to a new firm.

4. Apart from your general instructions on all your cases we are looking forward to your instructions in respect of Russian Patent application No 97106509 (our ref 2413-116898.607) as we have also received the Official Action issued by the Russian Patent Office: 11700

We would be happy to send it to you after your confirmation to the new "Sojuzpatent" that you entrust to "Gorodissky & Partners" the further prosecution of your cases.

Apologizing for inconvenience caused by our reorganization.

Our remark:

1. Wrong.
2. Sojuzpatent (Ilinka 5/2) had and has no legal successors at all.
3. Gorodissky & Partners (successor of Sojuzpatent Ltd.) is a new firm. Thus it must have new Powers of Attorney to represent clients before the Russian and Eurasian Patent Offices.
4. Sent to Gorodissky & Partners in error.

Yours sincerely,

Valery Medvedev  
Managing Director

*Val Medvedev*

# SOJUZPATENT

PATENTS - TRADE MARKS - INDUSTRIAL DESIGNS  
UTILITY MODELS - LITIGATION - LICENCES

- SINCE 1963 -

To whom it may concern

Re: Change of address

Dear Sirs,

We are very pleased to announce that from March 1, 1998 our office will be moving to new premises to offer a better service to our clients.

Regarding quality, "Sojuzpatent" has been ranked by the "Managing Intellectual Property" journal as the first firm in Eastern Europe for patents and trademarks in 1997.

Therefore, we would appreciate if you put into your records our new location, numbers of telecopiers and phone.

Our new address is:

Bolshaya Spasskaya Str., 25 stroenie 3,

Moscow 129010, Russia

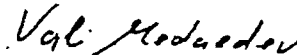
New phone: (095) 937 61 16

New fax: (095) 937 61 04; 937 61 23

If your correspondence will be still forwarded to our former address we assure you that it will be duly treated by us and said move will not have an effect on our relationship. For some time you will be able to reach us at both addresses including the former numbers of telecopiers and phones.

With best regards,

yours sincerely,



Valery Medvedev  
Deputy Director General

Our remark:  
Sojuzpatent never changed  
its address (Ilinka 5/2)

5/2 ILINKA ST., MOSCOW 103735, RUSSIA  
TELEPHONE: (095) 925-16-01; TELEFAX: (095) 230-27-67, 230-23-42  
TELEX: 411431

May 11, 1999

Re: Sojuzpatent / Gorodissky & Partners relationship.

Dear Sirs,

In our previous correspondence on the above matter we have tried to give our clients some brief information about what really had happened. Numerous subsequent enquiries prove a good number of our associates are still in confusion to evaluate the situation and take appropriate steps.

For the sake of objectivity we outline the course of events in chronological order.

**September 1997:** Mr. V. Medvedev, deputy general director of Sojuzpatent of the Russian Chamber of Commerce & Industry (CCI) (old "Sojuzpatent"), registers a private firm "Sojuzpatent Ltd", the CCI, the owner of registered name "Sojuzpatent", being unaware of that fact.

**Winter 1997:** A circular letter, signed by Mr. V. Medvedev, informs that "from March 1, 1998 Sojuzpatent will be moving to new premises".

**March 1998:** Filing division of old "Sojuzpatent" moves to the new address (Bolshaya Spasskaya 25/3) and from then on receives and handles all new orders that are sent directed by clients to Sojuzpatent (Iliinka 5/2). The rest staff remains sitting at the old address till November.

Clients were unaware of the existence of two different firms and continued sending their filing orders to the old "Sojuzpatent". These orders, however, had been dealt with by a different firm.

**September 1998:** Chief accountant of Sojuzpatent Ltd sends out a circular (Sojuzpatent headline) advising about new bank accounts.

**November 1998:** Mr. V. Medvedev informs that "Sojuzpatent Ltd as a private IP firm has completed its formation" and that the staff of Sojuzpatent (Iliinka 5/2) has moved to and joined "Sojuzpatent Ltd" (Bolshaya Spasskaja 25/3).

In fact, the old Sojuzpatent's employees are persuaded into doing what they really do not want: to apply for a job at Sojuzpatent Ltd or to find themselves on the street, to carry away with themselves patent and trademark files without preliminary informing and receiving consent of foreign and domestic clients.

By the **end of November** the business transfer (job, staff and money) from "Sojuzpatent of the CCI" to "Sojuzpatent Ltd" is completed.

A circular letter is sent out requesting the clients of consent to handle the Intellectual Property cases within "Sojuzpatent Ltd".

The CCI, being presented with a fait accompli, looks for measures to restore its violated rights including litigation.

**January 1999:** Mr. Gorodissky, Mr. Medvedev, Mr. Shalichov (former chief accountant of old "Sojuzpatent") and two former deputy directors of "Sojuzpatent" register a private firm "Gorodissky & Partners" and announce that "Sojuzpatent Ltd" has changed its name to "Gorodissky & Partners, Ltd" and became independent.

March 1999: The CCI invited Mr. L. Dmitrovsky (former deputy Mr. Gorodissky from 1968 till 1987) and appoints him in charge of "Sojuzpatent".

As a result of lengthy negotiations with the management of "Gorodissky & Partners, Ltd" out of court settlement is found. Whereupon some specialists of former "Sojuzpatent" choose "Sojuzpatent" and come back with the cases they have been handling. Some other await the client's reaction on the issue.

Thus, "Sojuzpatent" continues its intellectual property work being as before a professionally independent body corporate.

Our staff consists of former associates who are completely fit to represent and prosecute our clients' cases in the best possible way either in the Russian or in the Eurasian Patent Offices (five of our patent attorneys have both qualifications). Recently a former judge of the High Patent Chamber has joined us.

There is an agreement between two Offices that the process of cases transfer between "Gorodissky & Partners" and "Sojuzpatent" shall not affect our client's interests. If required, new Power of Attorneys can be filed without extra expenses for our clients.

However, we have to draw your attention to the fact that account matters between "Sojuzpatent" and "Gorodissky & Partners" are not yet settled. The latter owes us a considerable amount. Although "Gorodissky & Partners" has started to pay off we do not exclude any possibility of taking the problem to court.

To make our life easier please pay all outstanding debit-notes issued by "Sojuzpatent" (Iliinka 5/2) in the past or now only to us directly.

On the other hand we need an update statement of account in respect of unpaid debit-notes of "Sojuzpatent".

All payments due to "Sojuzpatent" are to be effected in USD to our account in Commercial Bank "Platina" with the following requisites:

Beneficiary: "Sojuzpatent"

Bank "PLATINA", account No. 40703840900000000013, SWIFT: PLATRUMM,  
corr. account No. 04-400-765 with Bankers Trust Company, New York, USA,  
SWIFT: BKTRUS 33.

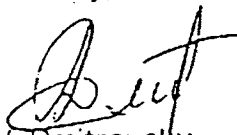
You can also provide payments by checks, which should be sent to our office by the following address:

"Sojuzpatent" 5/2, Iliinka Str., Moscow 103735, Russia.

We hope our information will help you to evaluate the situation and make your decision.

Looking forward to continue our cooperation.

Yours faithfully,



Leonid V. Dmitrovsky  
Managing Director

## ГЕНЕРАЛЬНАЯ ДОВЕРЕННОСТЬ

Я/мы (указать полное имя и адрес)

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настоящим уполномочиваю/ем  
Дмитровского Л.В., Ятрову Л.И., Высоцкую  
Н.Н., Агуреева А.П., Иванову О.Ф., Силаеву  
А.А., Колодяжную З.А.

зарегистрированных патентных поверенных  
"Союзпатента", расположенного по  
адресу: 103735 Москва, ул. Ильинка, 5/2  
представлять меня/нас в **Российском  
Агентстве по Патентам и Товарным  
Знакам** по всем вопросам, связанным с  
подачей заявок на выдачу патентов на  
изобретения (свидетельств на полезную  
модель), получением патентов  
(свидетельств), поддержанием их в силе и  
оспариванием выданных патентов  
(свидетельств).

---

(подпись заявителя)

---

(имя подписавшегося в случае организации)

---

(занимаемая должность в случае организации)

Дата: 199 г.

## GENERAL POWER OF ATTORNEY

I/we (insert full name and address)

---

---

---

do hereby authorize  
Dmitrovsky L.V., Yatrova L.I., Vysotskaya  
N.N., Agureev A.P., Ivanova O.F., Silaeva  
A.A., Kolodyazhnaya Z.V.

registered patent attorneys of  
"Sojuzpatent" with offices at: Iliinka 5/2,  
Moscow, Russia 103735 to represent  
me/us before the **Patent and Trade  
Mark Office of the Russian Federation**  
in all proceedings connected with the  
filing of applications for the grant of  
patents for inventions (certificates for  
utility models), obtaining patents  
(certificates), maintaining them in force  
and opposing patents (certificates)  
granted.

---

Applicant's signature

---

Signatory's full name (in case of legal entity)

---

Signatory's position (in case of legal entity)

Date: 199



(formerly "Sohzpatent Ltd.")

Patent and Trademark Attorneys

Dip. Eng. Valery Medvedev, PA\*, TM  
Dip. Eng. Valery Kalinovsky, PA\*  
Dip. Eng. Elena Tomakova, PA\*  
Dip. Eng. Sergey Dorozov, PA\*  
Dip. Eng. Yuri Kuznetsov, PA\*  
Dip. Eng. Alexander Mironov, PA\*  
Dip. Eng. Nikolai Lebedev, PA\*  
Dip. Eng. Valery Kalinovsky, TM  
Dip. Eng. Elena Tomakova, PA\*  
Dip. Eng. Sergey Dorozov, PA\*  
Dip. Eng. Yuri Kuznetsov, PA\*  
Dip. Eng. Alexander Mironov, PA\*  
Dip. Eng. Nikolai Lebedev, PA\*  
Dip. Eng. Valery Kalinovsky, TM  
Dip. Eng. Elena Tomakova, PA\*  
Dip. Eng. Sergey Dorozov, PA\*  
Dip. Eng. Yuri Kuznetsov, PA\*  
Dip. Eng. Alexander Mironov, PA\*

PA - Patent Attorney  
TM - Trademark Attorney

Patents  
Trademarks  
Designs  
Copyrights  
Licensing  
Litigation

Bolshaya Spasskaya Str.,  
25 etage 3  
Moscow 129010, Russia  
Phone: +7 (095) 937 61 16  
Fax: +7 (095) 937 61 04/23  
E-mail: pat@gorodissky.ru

April 22, 1999

Re: Authorization to "Gorodissky & Partners"

Dear Sirs,

With reference to our circular April, 1999 letter and in order to have a clarity in our further relationship we would appreciate it if you confirm that all your old and current patent and trademark cases previously entrusted to our firm will be handled by "Gorodissky & Partners". This will allow us to provide smooth and efficient prosecution of your pending IP cases.

Please send us your correspondence strictly to our new address indicating our new name "Gorodissky & Partners".

If you have additional questions in this issue please feel free to contact us.

We look forward to hearing your confirmation by return fax.

Yours sincerely,

*Val Medvedev*  
Valery Medvedev  
Managing Partner

Enclosure: Letter of April, 1999

Partners:  
Dr. Mikhail Goroditsky, PA\*, TM  
Dip. Eng. Valery Medvedev, PA\*, TM  
Dr. Anatoly Pavlovsky, PA\*  
Dip. Eng. Sergei Dudashkin, PA\*  
Dip. Ecob. Anatoly Shalichov

Senior Personnel:  
Dip. Eng. Natalia Lebedeva, PA\*  
Dip. Eng. Valery Kallazovsky, TM  
Dip. Eng. Elena Tontakaya, PA\*  
Dip. Eng. Evgeny Ershkanov, PA\*  
Dip. Ling. Galina Egorova, PA  
Dip. Ling. Ludmila Kirjushina, PA\*  
Dip. Chem. Irina Spasnikova, PA\*  
M. Sc. Denis Vorvodin, TM  
Dip. Eng. Sergei Dorafeyev, PA\*  
Dip. Eng. Yuri Kuznetsov, PA  
Dip. Eng. Alexander Mite, PA

PA - Patent Attorney  
\* - Russian Patent Attorney  
TM - Trademark Attorney

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**GORODITSKY  
& PARTNERS**

(formerly "Sojuzpatent Ltd.")  
Patent and Trademark Attorneys

Patents  
Trademarks  
Designs  
Copyrights  
Licencing  
Litigation

Bolshaya Spasskaya Str.,  
25 stroenie 3  
Moscow 129010, Russia  
Phone: +7 (095) 937 61 16  
Fax: +7 (095) 937 61 04/23  
E-mail: pat@goroditsky.ru

April, 1999

Dear Sirs,

Referring to our previous correspondence of November 26, 1998 about a formation of "Sojuzpatent Ltd." as a fully private and independent office and February, 1999 about a new name of our firm "Goroditsky & Partners", Ltd., we would like to advise you that the Russian Chamber of Commerce and Industry (CCI) has decided to resume an IP activity through its Subdivision - (VP) "Sojuzpatent".

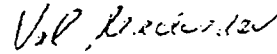
Five patent attorneys (Vysotskaya N.N., Yatrova L.I., Agureev A.P., Ivanova O.F., Silaeva A.A.) and three trademark attorneys (Isaev A.E., Felitsina S.B., Golyshko N.T.) of seventy patent and trademark attorneys of "Goroditsky & Partners" have left our office and moved to (VP) "Sojuzpatent" of the CCI. All partners and senior personnel of our firm are with "Goroditsky & Partners" whose total staff is 210 people now.

We assume that said eight attorneys will make a request to you to authorize them to further handle your IP cases to which they had a relation.

We would appreciate it if you coordinate with us a further representation with the respect to your IP cases since they have been prosecuted by not only said eight attorneys but also other patent and trademark attorneys of "Goroditsky & Partners".

We look forward to a continued cooperation.

Yours sincerely,

  
Valery Medvedev  
Managing Partner



Partners:  
Dr. Mikhail Gorodissky, PA\*, TM  
Dip. Eng. Valery Medvedev, PA\*, TM  
Dr. Anatoly Pavlovsky, PA\*  
Dip. Eng. Sergei Dudushkin, PA\*  
Dip. Econ. Anatoly Shalikhov

Senior Personnel:

Dip. Eng. Natalia Lebedeva, PA\*  
Dip. Eng. Valery Kalinovskiy, TM  
Dip. Eng. Elena Tomskaya, PA\*  
Dip. Eng. Evgeny Emelianov, PA\*  
Dip. Ling. Galina Egorova, PA  
Dip. Ling. Ludmila Kirjushina, PA\*  
Dip. Chem. Irina Speshilova, PA\*  
M. Sc. Denis Voevodin, TM  
Dip. Eng. Sergei Dorofeev, PA\*  
Dip. Eng. Yuri Kuznetsov, PA  
Dip. Eng. Alexander Mits, PA

PA - Patent Attorney  
\* - Eurasian Patent Attorney  
TM - Trademark Attorney

*sojuzpatent*  
Continuity in serving clients since 1963

# GORODISSKY & PARTNERS

(formerly "Sojuzpatent Ltd.")  
Patent and Trademark Attorneys

Patents  
Trademarks  
Designs  
Copyrights  
Licensing  
Litigation

Bolshaya Spasskaya Str.,  
25 stroenie 3  
Moscow 129010, Russia  
Phone: +7 (095) 937 61 16  
Fax: +7 (095) 937 61 04/23  
E-mail: pat@gorodissky.ru

## To whom it may concern

Re: Change of Name

February 1999

Dear Sirs,

We are pleased to announce that our office "Sojuzpatent Ltd." has changed its name to - **Gorodissky & Partners, Ltd.**

Our mailing address, fax and phone numbers remain unchanged, namely:

**Gorodissky & Partners, Ltd.**  
**Bolshaya Spasskaya Str., 25 stroenie 3,**  
**Moscow 129010, Russia**  
**Phone: +7 (095) 937 61 16**  
**Fax: + 7 (095) 937 61 04/23**

(please check your files for the accuracy of records)

**Our Banks** are Deutsche Bank and Banque Societe Generale requisites of which are indicated in our invoices.

There are several reasons why we have changed our name.

First, we have brought our legal status in conformity with the acting new Civil Code of the Russian Federation and the Statute of Russian Patent Attorneys. We have become a **private and independent** IP firm moved to a new state-of-the-art building and wholly kept our staff of about 230 people including **70 patent and trademark attorneys**.

Secondly, we feel that the time has come to pay a tribute to a person - **Dr. Mikhail Gorodissky**, who is the founder of our firm and has been leading the firm for more than 35 years.

We wish to assure all of our clients and associates that **Gorodissky & Partners, Ltd.** will keep the meaning of high responsibility and quality of our legal services.

We were glad to assist you in the past and will do so in future.

Yours sincerely, -



Mikhail L. Gorodissky  
President



Valery N. Medvedev  
Managing Partner



Paper No. 15

GARVEY SMITH NEHRBASS & DOODY, LLC  
THREE LAKEWAY CENTER  
3838 NORTH CAUSEWAY BLVD.,  
SUITE 3290  
METAIRIE, LA 70002Patentee: Shkondin, Vasily  
Patent No. 5,164,623  
Application No. 07/678,268  
Filed: April 23, 1991  
Issue Date: November 17, 1992  
Title of Invention: INDEPENDENT-DRIVE  
WHEEL FOR A WHEEL-MOUNTED VEHICLERECEIVED  
Garvey, Smith  
Nehrbass & Doody

FEB 10 2004

Docket by  
Action  
Due date

COPY MAILED

FEB 05 2004

OFFICE OF PETITIONS

ON PETITION

RECEIVED  
FEB X 9 2004Garvey, Smith  
Nehrbass & Doody

This is a decision on the petition filed October 9, 2003, under 37 CFR 1.378(b), to accept the unavoidably delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

The patent issued November 17, 1992. The 7.5 year maintenance fee could have been paid from November 17, 1999 to May 17, 2000, or with a surcharge during the period from May 18, 2000 to November 17, 2000. Petitioner did not do so. Accordingly, the patent expired November 18, 2000.

A grantable petition under 37 CFR 1.378(b) must be accompanied by a showing to the satisfaction of the Commissioner that the entire delay in paying the required maintenance fee from the due date for the fee until the filing of grantable petition pursuant to this paragraph was unavoidable.

Pursuant to 37 CFR 1.378(b) a petition to accept an unavoidably delayed payment of a maintenance fee must include:

- (1) The required maintenance fee set forth in §1.20 (e) through (g);
- (2) The surcharge set forth in §1.20(l)(1); and
- (3) A showing that the delay was unavoidable since reasonable care was taken to ensure the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The showing must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which patentee became aware of the expiration of the patent and the steps taken to file the petition promptly.

As to item (3), the showing of record is not sufficient to establish to the satisfaction of the Commissioner that delay was unavoidable within the meaning of 37 CFR 1.378(b).

The general standard applied by the Office requires petitioner to establish that

petitioner treated the patent the same as a reasonable and prudent person would treat his or her most important business.<sup>1</sup> However, "The question of whether an applicant's delay in prosecuting an application was unavoidable [will] be decided on a case by case basis, taking all of the facts and circumstances into account."<sup>2</sup> Nonawareness of the content of, or misunderstanding of PTO statutes, PTO rules, the MPEP or Official Gazette notices, do not constitute unavoidable delay.<sup>3</sup> The statute requires a "showing" by petitioner. Therefore, petitioner has the burden of proof.

### **Application of the unavoidable standard to the present facts**

Petitioner contends the 7.5 year maintenance fee was unavoidably delayed because he did not receive a reminder from Sojuzpatent the entity charged with making maintenance fee payments. Petitioner insist that there were steps in place to ensure timely payment of the maintenance fee. The first maintenance fee was timely submitted because Sojuzpatent sent patentee a reminder when the 3.5 year maintenance fee was due and in turn patentee authorized payment of the maintenance fee which was made through Computer Patent Annuities Limited Partnership (CPA ). Petitioner contends he learned the 7.5 year maintenance fee had not been paid on or about December 19, 2002. Upon the discovery the patent was expired, an investigation into the matter showed patentee did not receive a renewal notice because responsibility to pay the maintenance fee had been shifted unbeknownst to patentee to Gorodissky & Partners. Petitioner contends that Gorodissky and his partners took over the patent files previously held by Sojuzpatent. Petitioner further states he was not aware the patent had not been maintained and upon discovery the instant petition was filed.

Petitioner's argument have been considered but have been deemed not to rise to the level of unavoidable delay. Petitioner has presented a situation where there was a failure to monitor the performance of Sojuzpatent the entity responsible for paying the maintenance fee. Furthermore there is a showing of failure to inquire of the U.S. Law Firm Burgess, Ryan and Wayne (the firm who handled prosecution of the application) and the Patent and Trademark Office as to the status of the patent and maintenance fee payment. The facts indicate there was a contractual obligation between patentee and Sojuzpatent. However, a prudent and careful person with respect to their most important business would ensure that contracted services are timely performed. Thus, patentee should have confirmed the maintenance fee was timely submitted. Furthermore, this patent has been expired since November 18, 2000 and there is no indication as to why patentee did not inquire into the status until Mid December of 2002. As such petitioner has not provided sufficient evidence of unavoidable delay.

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<sup>1</sup> The Commissioner is responsible for determining the standard for unavoidable delay and for applying that standard 35 U.S.C. 41(c)(1) states, "The Commissioner may accept the payment of any maintenance fee...at any time...if the delay is shown to the *satisfaction of the Commissioner* to have been unavoidable (emphasis added).

<sup>2</sup> Smith v. Mossinghoff, 671 F.2d 533,538, 213 U.S.P.Q. (BNA) 977 (1982).

<sup>3</sup> Smith v. Mossinghoff, 671 F.2d 533,538, 213 U.S.P.Q. (BNA) 977 (1982). (citing Potter v. Dann, 201 U.S.P.Q. (BNA) 574 (D.D.C. 1978) for the proposition that counsel's nonawareness of PTO rules does not constitute unavoidable delay)); Vincent v. Mossinghoff, 1985 U.S. Dist. Lexis 23119, 13 230 U.S.P.Q. (BNA) 621 (D.D.C. 1985) (Plaintiffs through their counsel's actions or their own must be held responsible for having noted the MPEP section and Official Gazette notices expressly stating that the certified mailing procedures outlined in 37 CFR 1.8(a) do not apply to continuation applications).

The Declaration of Robert Walker a European Patent Attorney and employee of CPA, state the delay in timely payment of the second maintenance fee was due to a takeover of Sojuzpatent Ltd by Gorodissky and Partners. The Walker declaration further states although reminders of the second maintenance fee were sent to Gorodissky and Partners on at least four separate occasions, CPA never received authorization to pay the second maintenance fee. The implication of the Walker declaration and the declaration of Patentee implies the takeover was unauthorized and done without the knowledge of the patentee evidence of such wrong doing has not been provided. If Gorodissky was obligated to obtain the approval of transfer of files and responsibilities from Sojuzpatent such statements must be provided as well as any evidence to that effect. Nor is there any indication that the transfer of this patent was the result of any wrong doing. Allegations of the wrongful transfer of the patent to Gorodissky and Partners must be substantiated with evidence.<sup>4</sup>

Ultimately, patentee contends he did not select Gorodissky to be his representative and because he did not receive a reminder notice from Gorodissky he failed to authorize payment of the maintenance fee. Patentee's reliance on an entity (Sojuzpatent, Gorodissky, attorney or CPA) to notify patentee of relevant legal requirements such as the maintenance fee due dates does not necessarily constitute unavoidable delay. As the facts currently stand it appears that Gorodissky took over (from Sojuzpatent) the responsibility for the above-identified patent and Gorodissky as petitioner's representative failed to send a maintenance fee reminder and thus petitioner did not authorize the maintenance fee payment. However, petitioner is bound by the actions or inactions of his representative. See Link v. Wabash Railroad Co., 370 U.S. 626 (1962). Thus, petitioner's argument must fail.

Any renewed petition will also need to provide an explanation as to why it took nine months after discovery of the expiration of the patent to file a petition.

The change of address submitted with the petition has been entered and made of record.

### Petitioner's current options

#### I. Petitioner may file a request for reconsideration.

Any request for reconsideration of this decision must be filed within **TWO MONTHS** of the mailing date of this decision. Any such petition for reconsideration must be accompanied by the \$130 petition fee set forth in §1.17(h). After decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner. Accordingly, on request for reconsideration, it is extremely important the petitioner supply **any** and **all** relevant information and documentation in order to meet his burden of showing unavoidable delay. This includes statements by all persons with direct knowledge of the cause of the delay, setting forth the facts as they know them.

#### II. Petitioner may request a refund of the maintenance fee and surcharge which accompanied the petition.

Petitioner may a request a refund of the maintenance fee and surcharge by writing to

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<sup>4</sup> It should be noted mere negligence will not cause the court to not bind the patentee to his representatives actions or inactions. Courts have looked for gross negligence. See. Haines v. Quigg, 673 F. Supp 314, 317.

the Office of Finance, Refund Section Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306

By delivery service:  
(FedEx, UPS, DHL, etc.) U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Petition  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Telephone inquiries should be directed to the undersigned at (703) 306-0251.

  
Charlema R. Grant  
Petitions Attorney  
Office of Petitions

*Handwritten signature*

ATTORNEY DOCKET NO.: A03179US (98148.28)  
 Applicant: Vasily V. SHKONDIN  
 Date: October 3, 2003  
 Patent No.: 5,164,623  
 For: "Independent-drive wheel for a wheel-mounted vehicle"  
 Filing of: Petition; cert. of mailing; Declaration; \$1745 check  
 Please acknowledge receipt of the above by date stamping and returning  
 this card.  
 Very truly yours,

*Handwritten signature*  
 Seth M. Nehrbass

P:\Seth\98148.28.pc&label.wpd

GARVEY

ATTORNEY DOCKET NO.: A03179US (98148.28)  
 Applicant: Vasily V. SHKONDIN  
 Date: October 3, 2003  
 Patent No.: 5,164,623  
 For: "Independent-drive wheel for a wheel-mounted vehicle"  
 Filing of: Petition; cert. of mailing; Declaration; \$1745 check  
 Please acknowledge receipt of the above by date stamping and returning  
 this card.  
 Very truly yours,

*Handwritten signature*  
 Seth M. Nehrbass

P:\Seth\98148.28.pc&label.wpd



8588

14-9-650

\$\*\*1,745.00\*

DOLLARS

Details on back. Security Features included.

PAY TO THE ORDER OF \*

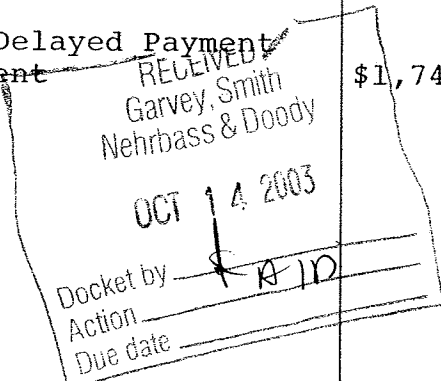
\*\*\*\*\*One

IRVEY, SMITH, NEH  
 & DOODY, L.L.C.  
 COST ACCOUNT

DETACH AND RETAIN THIS STATEMENT  
 THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.  
 DELUXE BUSINESS FORMS 1-800-328-0304 www.deluxeforms.com  
 DELUXE - FORM DVCB-3 V-2

DATE	DESCRIPTION	AMOUNT
10/2/03 N/sd	98148.28 (A03179US) File Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent	\$1,745.00

Check No. 8588



*Handwritten mark*

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

A03179US (98148.28)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. 5,164,623 Application Number 07/678,268  
Issue Date 17 November 1992 Filing Date 27 April 1991

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

## **Also complete the following information, if applicable**

The above-identified patent:


- ☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_ ;  
original application number \_\_\_\_\_ ,  
original filing date \_\_\_\_\_ .
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_ filed on \_\_\_\_\_ .

## **CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

3 October 2003

Date



Signature

Seth M. Nehrbass

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SandyAdobel98148.28.PET.UNAVOID.M.FEE

1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1045	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1045

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1558) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 1745

☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. A duplicate copy of this authorization is attached.

☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 50-0694. A duplicate copy of this authorization is attached.



## 7. OVERPAYMENT

As to any overpayment made please

☒ Credit to Deposit Account No. 50-0694

OR

☐ Send refund check.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

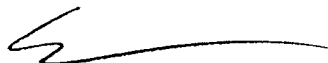
## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

3 October 2003

Date

(504 835-2000

Telephone Number



Signature(s) of Petitioner(s)

Seth M. Nehrbass

Typed or printed name(s)

Garvey, Smith, Nehrbass & Doody, L.L.C.Three Lakeway Center, Suite 3290

Address

3838 N. Causeway Blvd.Metairie, LA 70002

Address

## ENCLOSURES:

- ☒ Maintenance Fee payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐

PTO Customer No. 22920

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

3 October 2003

Date



Signature

Seth M. Nehrbass, Patent Attorney  
Reg. No. 31,281

Typed or printed name

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Please see attached showing of unavoidable delay.

*(Please attach additional sheets if additional space is needed)*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Inventor:* Vasily V. Shkondin  
*Issued:* November 17, 1992  
*Pat. No.:* 5,164,623  
*For:* "INDEPENDENT-DRIVE WHEEL FOR A WHEEL-MOUNTED  
VEHICLE"  
*Atty File:* A03179US (98148.28)

**POWER OF ATTORNEY**

The undersigned hereby revokes any previous powers of attorney and appoints the following to maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

SETH M. NEHRBASS  
GREGORY C. SMITH  
CHARLES C. GARVEY, JR.  
STEPHEN R. DOODY  
BRETT A. NORTH

Reg. No. 31,281  
Reg. No. 29,441  
Reg. No. 27,889  
Reg. No. 29,062  
Reg. No. 42,040

Please direct all communications to: **GARVEY, SMITH, NEHRBASS & DOODY,**  
**L.L.C., PTO Customer No. 22926, 3838 N. Causeway Blvd., Suite 3290, Metairie, LA**  
**70002, (504) 835-2000, to the attention of: SETH M. NEHRBASS.**

Date:

2.10.2003

  
Vasily V. Shkondin

2 OCTOBER 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**SHOWING OF UNAVOIDABLE DELAY**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

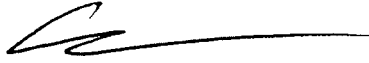
Attached are declarations of the inventor, a patent attorney with the maintenance fee paying organization tasked with paying maintenance fees for this patent, and the current U.S. patent attorney for the inventor.

The declarations are believed to be sufficient to show unavoidable delay, the steps taken to ensure timely payment, the date and manner in which the patentee was notified of the expiration of the patent, and the steps taken to file the petition timely. Specifically, around the time of the collapse of the Soviet Union there were political and business changes in Russia which created chaos. The firm which the inventor entrusted with paying the maintenance fee underwent changes, and somehow apparently the above-referenced patent got lost in the shuffle, through no fault of the inventor.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any additional fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,

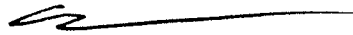


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Seth M. Nehrbass, Reg. No. 31,281  
Charles C. Garvey, Jr., Reg. No. 27,889  
Gregory C. Smith, Reg. No. 29,441  
Stephen R. Doody, Reg. No. 29,062  
Brett A. North, Reg. No. 42,040  
GARVEY, SMITH, NEHRBASS & DOODY, L.L.C.  
**PTO Customer No. 22920**  
3838 N. Causeway Blvd., Suite 3290  
Metairie, LA 70002  
Tel.: (504) 835-2000  
Fax: 504-835-2070  
e-mail: [IPLNO@AOL.COM](mailto:IPLNO@AOL.COM)  
[www.neworleanspatents.com](http://www.neworleanspatents.com)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 3, 2003.



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Seth M. Nehrbass, Reg. No. 31,281

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Seth M. NEHRBASS, Patent Attorney**

I am a registered patent attorney working for the inventor and owner of the above-referenced patent.

On 17 December 2002 I was contacted by Chris VAUGHAN, European Patent Attorney and European patent counsel for the inventor and owner of the above-referenced patent. He asked me to try to find out whether the 8-year maintenance fee had been timely paid in the above-referenced patent. I called the USPTO hotline for patent maintenance fees, but it was not working. After a few attempts over a few days, on 19 December 2002 the hotline worked and I discovered that the 8-year maintenance fee had not been timely paid in the above-referenced patent. On that date, I sent an e-mail message to Chris VAUGHAN with that information. I understand that Chris VAUGHAN then passed this information on to the inventor, Vasily V. SHKONDIN.

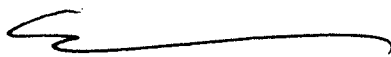
We have since been investigating why the 8-year maintenance fee had not been timely paid, and whether it would be possible to pay the fee late. On or about 8 September 2003 I received the attached declaration of Robert Walker, and on 1 October 2003 I received the attached declaration of the inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine

or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

2 Oct. 2003

Date



Seth M. NEHRBASS, Patent Attorney, Reg. No. 31,281

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Vasily V. SHKONDIN**

I am the inventor and owner of the above-referenced patent.

I received a reminder about payment of the 4-year maintenance fee from Sojuzpatent. I authorized payment of the 4-year maintenance fee through Sojuzpatent. I understand now that the 4-year maintenance fee was paid by CPA at the instruction of Sojuzpatent.

I understood that Sojuzpatent would send me a reminder regarding future maintenance fees, as Sojuzpatent represented me in patent matters.

Unfortunately, I never received any renewal reminders in relation to the 8-year maintenance fee from Sojuzpatent.

I have since learned (on or about 19 December 2002) that the above-referenced patent lapsed on 19 November 2000 for failure to pay the 8-year maintenance fee. Patent attorneys have been engaged on my behalf in Europe and in the United States to investigate what happened and whether the patent could be revived. After much investigation, it appears that the reason I did not receive a renewal reminder is that, without my authorization or knowledge, responsibility for payment of maintenance fees for my above-referenced patent was shifted from Sojuzpatent to



Gorodissky & Partners (please see the accompanying Declaration of Robert C. WALKER for more details).

I did not deliberately allow my patent to lapse. The lapsing of my patent was unavoidable. I understood that Sojuzpatent, who I had engaged to handle my patent matters, would timely remind me of due dates for my 8-year and 12-year maintenance fees, as it had for my 4-year maintenance fee.

Though Gorodissky & Partners took over my patent file without my knowledge or consent, I did not receive any renewal reminders in relation to the 8-year maintenance fee from Gorodissky & Partners.

I did not deliberately delay in paying the 8-year maintenance fee. Since I learned of the failure to timely pay the fee, I have worked to determine whether the fee could be paid late and what steps must be taken to pay the fee late. I would like for the 8-year maintenance fee to be accepted at this time.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

17.09.2003  
Date

  
Vasily V. SHKONDIN

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

United States Patent No. 5,164,623

Issued: 17 November 1992

Inventor: Vasily V. SHKONDIN, a Russian citizen, of prospekt Vernadskogo, 93, korpus 1,  
kv. 159, Moscow, Russia

FOR: "Independent-drive wheel for a wheel-mounted vehicle "

ATTORNEY DOCKET NO.: A03179US (98148.28)

**Declaration of Robert C. WALKER**

I am a European Patent Attorney and I have worked for Computer Patent Annuities Limited Partnership (sometimes hereafter CPA) in Jersey, Channel Islands since 1978.

All computer processing for CPA is done here in Jersey.

I am familiar with the history of United States Patent No. 5,164,623.

By way of general background, some 20 years ago CPA negotiated with the Patent Department of the USSR Chamber of Commerce & Industry to become that organisation's sole agent of payment for annuities on granted patents throughout the world, and this resulted in several thousand patents being entrusted to CPA. The method of transfer of data was for the Chamber of Commerce to write to their foreign associates and request them to complete a special schedule of all granted patents which they should send to CPA. We then entered all the granted patents in our records with the Chamber of Commerce as our client, but carrying the identity of the foreign agent that had sent us the details.

Around 1989, the Patent Department of the USSR Chamber of Commerce adopted the trading title Sojuzpatent. Around 1998 there was firstly a change of name announced to

Sojuzpatent Ltd, everyone was then advised of a change of the address of Sojuzpatent Ltd, and subsequently of a change of name to Gorodissky & Partners Ltd. As became evident in due course, this sequence of changes was not actually initiated by the Chamber of Commerce, but was rather a take-over of work and files by Mr Gorodissky and his partners who had moved away from Sojuzpatent. By the time that this became apparent however, virtually all files for both domestic and foreign cases previously handled by Sojuzpatent ended up with Gorodissky.

In accordance with the standing instructions established by the USSR Chamber of Commerce and carried on for Sojuzpatent and then Gorodissky, the US patent attorney firm Burgess, Ryan & Wayne (the firm which prosecuted the above-referenced patent in the US) sent details to CPA of this patent after it was granted and CPA was appointed as the fee address. Instructions were received in timely fashion from Sojuzpatent to pay the first maintenance fee due 17 May 1996. Reminders were sent to Gorodissky for the second maintenance fee due 17 May 2000, but no instructions were received and the patent was allowed to lapse. The reminders (copies attached) were sent to Gorodissky on 23 January, 23 March, 23 May and 24 September 2000. In addition, a copy of the USPTO maintenance fee reminder CPA received mentioning this patent was sent to Gorodissky with a letter dated 6 July 2000, and a copy of the USPTO notice of patent expiration was sent to Gorodissky on 30 January 2001.

It is not at all unusual for CPA to fail to receive instructions from Gorodissky. CPA has no record of any instructions to write on this patent to either Sojuzpatent, which in 1999 revived its own practice and retrieved some clients for both domestic and foreign patenting activity, or Mr Shkondin himself or any other agent. Whilst the default situation because of the circumstances explained above was that all cases previously handled for Sojuzpatent were

subsequently handled for Gorodissky, specific instructions were received from various Russian entities to write to them direct, or to write to their designated agents, and many instructions were received from Sojuzpatent, but it was quite commonplace for no instructions to be received at all. Most patents that we previously handled as a result of our arrangements with the USSR Chamber of Commerce & Industry have been removed from our records and noted as lapsed, so that we now only deal with approximately 200 cases.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

8 September 2003  
Date

  
Robert C. WALKER

# Computer Patent Annuities Limited Partnership

CPA House, 11-15 Seaton Place, St Heller  
Jersey JE1 1BL, Channel Islands

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-W1,02996

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Account No.	US Dollar	Due Date	Annuity	Your Reference	Cost
299602	US Dollar	23 JAN 2000	2		
Country Type No.	Due Date	Case Expiry	Annuity	Your Reference	Proprietor
Germany Patent P4117332.5	27 MAY 2000	10	P.118555	IVANOVSKIJ NAUCHO-ISSLEDOVAT	US\$413.40
U.S.A. Large Entity 5164623	17 MAY 2000	2	P.123093	SOJUZPATENT	US\$1920.00
U.S.A. Large Entity 5161603	10 MAY 2000	2	P.123115		US\$1920.00
Switzerland Patent 0500938	30 MAY 2000	10	P.125584	INST.NEORGANICHESKOI KHIMII ET AL	US\$312.05
Germany Patent 69123953.3	30 MAY 2000	10	P.125584	INST.NEORGANICHESKOI KHIMII ET AL	US\$413.40
Sweden Patent 92911912.1	27 MAY 2000	9	P.125705	DYODIN V V	US\$228.13

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-W1,029960211846273105~  
DE PT P4117332.5 10 27 MAY 2000 US\$413.40  
-W1,029960210085681023~  
US UL 5164623 2 17 MAY 2000 US\$1920.00  
-W1,029960211695778028~  
US UL 5161603 2 10 MAY 2000 US\$1920.00  
-W1,029960211835673107~  
CH EU 0500938 10 30 MAY 2000 US\$312.05  
-W1,029960211835674104~  
DE EU 69123953.3 10 30 MAY 2000 US\$413.40  
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Account No. 299602	US Dollar	Date 23 MAR 2000	Page 2
Country Type No.	Due Date Case Expiry	Annuity Your Reference Proprietor	Cost
Germany Patent P3991247.7	29 MAY 2000 12 29 MAY 2009	P.112989 SERGEI K GOTOV ET AL	US\$694.43
France Patent 0484533	19 MAY 2000 11 19 MAY 2010	P.117999 PAPYRIN ANATOLY NIKIFOROVICH	US\$265.11
Germany Patent 69016433.5	19 MAY 2000 11 19 MAY 2010	P.117999 PAPYRIN ANATOLY NIKIFOROVICH	US\$532.79
Germany Patent P4117332.5	27 MAY 2000 10 27 MAY 2011	P.118555 IVANOVSKIY NAUCHO-ISSLEDOVAT	US\$404.59
U.S.A. Large Entity 5164623	17 MAY 2000 2 23 APR 2011	P.123093 BOUZPATENT	US\$1920.00
U.S.A. Large Entity 5161603	10 MAY 2000 2 28 JUN 2010	P.123115	US\$1920.00

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299602 US Dollar 2 23 MAR 2000 GORODILSKY & PARTNERS LTD  
WL,029960211931142125  
DE PT P3991247.7 12 29 MAY 2000 US\$694.43  
WL,0299602112293166118  
FR EU 0484533 11 19 MAY 2000 US\$265.11  
WL,0299602112293165111  
DE EU 69016433.5 11 19 MAY 2000 US\$532.79  
WL,029960211846273105  
DE PT P4117332.5 10 27 MAY 2000 US\$404.59  
WL,029960210085681023  
US UL 5164623 2 17 MAY 2000 US\$1920.00  
WL,029960211695778028  
US UL 5161603 2 10 MAY 2000 US\$1920.00

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Account No. 299602	US Dollar	Due Date Case Expiry	Annuity	Your Reference Proprietor	Date 23 MAY 2000	Page 1	299602	US Dollar	3	23 MAY 2000	GORODILSKY & PARTNERS LTD
Country Type No.							YES/NO				
Switzerland Patent 0642020		06 MAY 2000	8	EU 94 317 SHABALIN VLADIMIR NIKOLAEVICH ET AL							
Portugal Patent 0642020		06 MAY 2000	8	Cost up to 06 OCT 2000 EU 94 317 SHABALIN VLADIMIR NIKOLAEVICH ET AL							
Germany Patent 59308412.8		06 MAY 2000	8	EU 94 317 SHABALIN VLADIMIR NIKOLAEVICH ET AL							
Spain Patent 93912021.8		06 MAY 2000	8	Cost up to 31 AUG 2000 EU 94 317 SHABALIN VLADIMIR NIKOLAEVICH ET AL							
U.S.A. Large Entity 5164623		17 MAY 2000	2	Cost up to 17 OCT 2000 P.123033 SOJUZPATENT							
U.S.A. Large Entity 5161603		10 MAY 2000	2	Cost up to 10 OCT 2000 P.123115							

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WL, 029960212274223085~  
CH EU 0642020 8 06 MAY 2000 US\$292.31  
WL, 029960212274234089~  
PT EU 0642020 8 06 MAY 2000 US\$346.80  
WL, 029960212274223083~  
DE EU 59308412.8 8 06 MAY 2000 US\$259.80  
WL, 029960212274225087~  
ES EU 93912021.8 8 06 MAY 2000 US\$244.69  
WL, 029960210085681023~  
US UL 5164623 2 17 MAY 2000 US\$2110.00  
WL, 029960211695778028~  
US UL 5161603 2 10 MAY 2000 US\$2110.00

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299602	US Dollar	24 SEP 2000	1
Country Type No.	Due Date Case Expiry	Annuity * Your Reference Proprietor	LAPSE DATE * Cost
Portugal Patent 0642020	05 MAY 2000	8 Cost up to 06 NOV 2000 EU 94 317 SHABALIN VLADIMIR NIKOLAEVICH ET AL	US\$354.44
U.S.A. Large Entity 5164623	17 MAY 2000	2 Cost up to 17 NOV 2000 P.123093 SOJUZPATENT	US\$2200.00
U.S.A. Large Entity 5161603	10 MAY 2000	2 Cost up to 10 NOV 2000 P.123115	US\$2200.00
Austria Patent 0549791	01 APR 2000	10 Cost up to 30 OCT 2000 P.126445 AKTSIONERNOE OBBCHESTVO OTKRYTOGO	US\$621.02
Switzerland Patent 0549791	01 APR 2000	10 Cost up to 31 OCT 2000 P.126445 AKTSIONERNOE OBBCHESTVO OTKRYTOGO	US\$576.79
France Patent 0549791	01 APR 2000	10 Cost up to 30 OCT 2000 P.126445 AKTSIONERNOE OBBCHESTVO OTKRYTOGO	US\$393.49

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299602 US Dollar 4 24 SEP 2000 GORODITSKY  
WL, 029960212274234089  
PT EU 0642020 8 06 MAY 2000 US\$354.44  
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US UL 5164623 2 17 MAY 2000 US\$2200.00  
WL, 029960211695778028  
US UL 5161603 2 10 MAY 2000 US\$2200.00  
WL, 029960212163850109  
AT EN 0549791 10 01 APR 2000 US\$621.02  
WL, 029960212163851106  
CH EU 0549791 10 01 APR 2000 US\$576.79  
WL, 029960212163853100  
FR EU 0549791 10 01 APR 2000 US\$393.49

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